



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Brian G. Svoboda, Esq.
Perkins Coie, LLP
607 Fourteenth Street, N.W.
Washington, D.C. 20005

SEP 16 2009

RE: MUR 6202
Missouri Democratic State
Committee and Rod Anderson, in
his official capacity as treasurer

Dear Mr. Svoboda:

On September 10, 2009, the Federal Election Commission accepted the signed conciliation agreement on your client's behalf in settlement of a violation of 2 U.S.C. § 432(h), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B).

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

Kathryn J. Lefeber
Kathryn J. Lefeber
Attorney

Enclosure
Conciliation Agreement

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FEDERAL ELECTION
COMMISSION

BEFORE THE FEDERAL ELECTION COMMISSION

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In the Matter of)
)
Missouri Democratic State Committee and)
Rod Anderson, in his official capacity as treasurer)

MUR 6202 OFFICE OF GENERAL
COUNSEL

CONCILIATION AGREEMENT

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This matter was initiated by the Federal Election Commission ("Commission") pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Based on a Commission audit of the Missouri Democratic State Committee ("the Committee") covering the period January 1, 2003 through December 31, 2004, the Commission found reason to believe the Missouri Democratic State Committee and its treasurer violated 2 U.S.C. § 432(h)(2).

NOW THEREFORE, the Commission and the Missouri Democratic State Committee and Rod Anderson, in his official capacity as treasurer, (together "Respondents") having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.

§ 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. The Committee is a political committee within the meaning of 2 U.S.C. § 431(4), and is not the authorized committee of any candidate.

2. Rod Anderson is the treasurer of the Committee.

3. A political committee may maintain a petty cash fund for disbursements not in excess of \$100 to any person in connection with a single purchase or transaction. A committee cannot make any other disbursements except by check drawn on the committee's account at its designated campaign depository. 2 U.S.C. § 432(h).

4. The Committee made 408 cash disbursements exceeding the \$100 limit to pay canvassers and vendors during the 2004 general election period. The disbursements totaled \$62,552, with \$21,752 of that amount over the \$100 per-transaction limit. The Commission has no information and has made no finding that the petty cash disbursements at issue in this matter violated any statutes other than 2 U.S.C. § 432(h).

V. 1. Respondents violated 2 U.S.C. § 432(h) by exceeding the \$100 per-transaction limit for cash disbursements.

VI. Respondents will take the following actions:

1. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Four Thousand Five Hundred Dollars (\$4,500), pursuant to 2 U.S.C. § 437g(a)(5)(A).

2. Respondents will cease and desist from violating 2 U.S.C. § 432(h).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof

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has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.


IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and resolves all allegations that might have been raised based on the Commission's audit of the Committee covering the period January 1, 2003 through December 31, 2004. No other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Thomasenia P. Duncan
General Counsel

BY:


Ann Marie Terzaken
Associate General Counsel
for Enforcement

9/15/09
Date

FOR THE RESPONDENTS:


(name)
Missouri Democratic State Committee

8/10/09
Date

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